



02-24-03

64P/3643

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#9/IDS w/atts
3-12-03

In Re the Application of:

Group Art Unit: 3643

MICKE et al.

Examiner: Price, Richard Thomas, Jr.

Serial No.: 10/005,797

SUPPLEMENTAL INFORMATION
DISCLOSURE STATEMENT

Filed: November 2, 2001

Atty. File No.: 3957-8-DIV

For: "METHOD AND APPARATUS FOR
REMOVING OBSTRUCTIONS IN
MINES"

"EXPRESS MAIL" MAILING LABEL NUMBER: EL923668676US
DATE OF DEPOSIT: 2/21/03

I HEREBY CERTIFY THAT THIS WITH THE UNITED STATES
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INDICATED ABOVE AND IS ADDRESSED TO THE ASSISTANT
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TYPED OR PRINTED NAME: Aimee M. Thuerk

SIGNATURE:

Aimee M. Thuerk

Assistant Commissioner for Patents
Washington, D. C. 20231

Sir:

The references cited on attached Form PTO-1449 are being called to the attention of the Examiner.

Copies of the cited references:

☒ Are enclosed herewith.

☐ Are not enclosed, in accordance with 37 C.F.R. 1.98(d), because the references were
submitted to the U.S. Patent and Trademark Office in prior application Serial No. _____
_____ filed _____, which is relied upon for an earlier filing date under 35
U.S.C. § 120

☐ To the best of applicants' belief, the pertinence of the foreign-language references are
believed to be summarized in the attached English abstracts and in the figures, although applicants do not
necessarily vouch for the accuracy of the translation.

☐ Examiner's attention is drawn to the following co-pending applications, copies of which have
been or are being submitted:

Serial No. _____ filed _____

Serial No. _____ filed _____

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Submission of the above information is not intended as an admission that any item is citable under the
statutes or rules to support a rejection, that any item disclosed represents analogous art, or that those skilled in
the art would refer to or recognize the pertinence of any reference without the benefit of hindsight, nor should
an inference be drawn as to the pertinence of the references based on the order in which they are presented.
Submission of this statement should not be taken as an indication that a search has been conducted, or that no
better art exists.

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It is respectfully requested that the cited information be expressly considered during the prosecution of this application and the references made of record therein.

FEES

<input type="checkbox"/>	<p>37 CFR 1.97(b): No fee is believed due in connection with this submission, because the information disclosure statement submitted herewith is satisfies one of the following conditions ("X" indicates satisfaction):</p> <ul style="list-style-type: none"><input type="checkbox"/> Within three months of the filing date of a national application other than a continued prosecution application under 37 CFR 1.53(d), or<input type="checkbox"/> Within three months of the date of entry into the national stage of an international application as set forth in 37 CFR 1.491 or<input type="checkbox"/> Before the mailing a first Office Action on the merits, or<input type="checkbox"/> Before the mailing of a first Office action after the filing of a request for continued examination under 37 CFR 1.114. <p>Although no fee is believed due, if any fee is deemed due in connection with this submission, please charge such fee to Deposit Account 19-1970.</p>
<input checked="" type="checkbox"/>	<p>37 CFR 1.97(c): The information disclosure statement transmitted herewith is being filed after all the above conditions (37 CFR 1.97(b)), but before the mailing date of one of the following conditions:</p> <ul style="list-style-type: none">(1) a final action under 37 C.F.R. 1.113 or(2) a notice of allowance under 37 C.F.R. 1.311, or(3) an action that otherwise closes prosecution in the application. <p>This Information Disclosure Statement is accompanied by:</p> <ul style="list-style-type: none"><input type="checkbox"/> A Certification (below) as specified by 37 C.F.R. 1.97(e). Although no fee is believed due, if any fee is deemed due in connection with this submission, please charge such fee to Deposit Account 19-1970. <p style="text-align: center;">OR</p> <ul style="list-style-type: none"><input checked="" type="checkbox"/> A check in the amount of \$180.00 for the fee set forth in 37 C.F.R. 1.17(p) for submission of an information disclosure statement. Please credit any overpayment or charge any underpayment to Deposit Account No. 19-1970.
<input type="checkbox"/>	<p>37 CFR 1.97(d): This Information Disclosure Statement is being submitted after the period specified in 37 CFR 1.97(c).</p> <ul style="list-style-type: none"><input type="checkbox"/> This information Disclosure Statement includes a Certification (below) as specified by 37 C.F.R. 1.97(e) <p style="text-align: center;">AND</p> <ul style="list-style-type: none"><input type="checkbox"/> Applicants hereby requests consideration of the reference(s) disclosed herein. Enclosed is the fee in the amount of \$180.00 under 37 C.F.R. 1.17(p). Please credit any overpayment or charge any underpayment to Deposit Account No. 19-1970. Election to pay the fee should not be taken as an indication that applicant(s) cannot execute a certification.

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Certification (37 C.F.R. 1.97(e))
(Applicable only if checked)

☐ The undersigned certifies that:

☐ Each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement. 37 C.F.R. 1.97(e)(1).

☐ A copy of the communication from the foreign patent office is enclosed.

OR

☐ No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in 37 C.F.R. 1.56(c) more than more than three months prior to the filing of this information disclosure statement. 37 C.F.R. 1.97(e)(2).

Respectfully submitted,

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Date: February 21, 2003

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SHEET 1 OF 1

FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary)	ATTY. DOCKET NO. 3957-8-DIV	SERIAL NO. 10/005,797
	APPLICANT Micke et al.	
	FILING DATE November 2, 2001	GROUP ART 3643

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROP.

FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION	
						YES	NO

OTHER ART (Including Author, Title, Date, Pertinent Pages, etc.)

AA	Heuzé, Francois, "Rock mechanics contributions from defense programs," <u>Rock Mechanics</u> , pp. 3-26, Tillerson & Wawersik (eds), 1992, Balkema, Rotterdam.
AB	Lownds, C.M., et al, "The performance testing of permitted explosives for coal mines," <u>Journal of the South African Institute of Mining and Metallurgy</u> , vol. 86, no. 10, pp. 415-423, October, 1986.
AC	no author given, "Excavation of tunnels by the use of smooth-bore cannons to fire solid 10 lb concrete projectiles into the rock - REAM," <u>Tunnels and Tunnelling</u> , pp. 177-180, March, 1973.

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EXAMINER	DATE CONSIDERED
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line if not in conformance and not considered. Include copy of this form with next communication to applicant.